

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Wilhelm, applicant's representative, on Wednesday, December 20, 2006.

The application has been amended as follows:

In the claims:

In claim 85, line 9, delete -- and -- after "aperture body."

In claim 85, line 11, add -- and -- after "spinal plate,"

In claim 85, line 24, change "a channel" to -- the channel --.

mfr 02/08/07

Election/Restrictions

Claim 85-90, previously withdrawn from consideration as a result of a restriction requirement, require all the limitations of an allowable claim, due to applicant's amendments to independent claims 63, 84 and 85. Pursuant to the procedures set forth in MPEP § 821.04(a), **the restriction requirement between inventions I and II, i.e. claims 63-84 and 85-90, respectively, as set forth in the Office action mailed on March 21, 2006, is hereby withdrawn** and claims 85-90 are hereby rejoined and fully examined for patentability under 37 CFR 1.104. In view of the withdrawal of the restriction requirement, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a